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To CHARLIE KLEEMAN	From MIKE ZETO
Co. EPA	Co. EE
Dept.	Phone #
Ax #	Fax #



WEST VIRGINIA
LTH AND HUMAN RESOURCES

158722

Gaston Caperton
Governor

November 18, 1994

M. A. Dyer, M.D., Health Officer
Raleigh County Health Department
1602 Harper Road
Beckley, West Virginia 25801

Rec'd
(NOV 28 1994)
Beckley District Office
Environmental Health

Holly Hills Subdivision
Raleigh County

Dear Dr. Dyer:

The subdivision's sewage treatment system serves 80 homes and consists of a collection system, lift stations, and a package sewage treatment plant. The owner of the system, Mr. Donald Jarrell, has not constructed nor maintained the system in accordance with regulatory requirements. Lack of proper operation and maintenance is resulting in raw sewage overflowing manholes and allowing untreated sewage to flow directly into Marsh Fork.

Numerous complaints have been received by the Bureau of Public Health's Office of Environmental Health Services concerning these adverse conditions. In considering any actions to correct these adverse situations, is the need for the Bureau of Public Health to declare the Holly Hills subdivision area an endangerment to public health.

Therefore, I am declaring the condition of the Holly Hills Subdivision's sewage collection/treatment/disposal system an endangerment to public health. This declaration is being executed in accordance with the authority vested in me by Chapter 16, Article 1, Section 9 of the West Virginia Code as amended.

Sincerely,

William T. Wallace, Jr., MD, MPH
Commissioner
Bureau of Public Health

WTW:VRW:nzf

cc: Raleigh County Commission
OEHS Central Office
OEHS Beckley District Office

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OFFICE OF ENVIRONMENTAL HEALTH SERVICES
815 QUARRIER STREET, SUITE 418
CHARLESTON, WEST VIRGINIA 25301
Telephone 304-558-2981 Fax 304-558-0691 AR200001

02/24/95
12/08/94

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ENVIRN. HEALTH SERVICES-BECKLEY → DEP-OFFICE OF WH

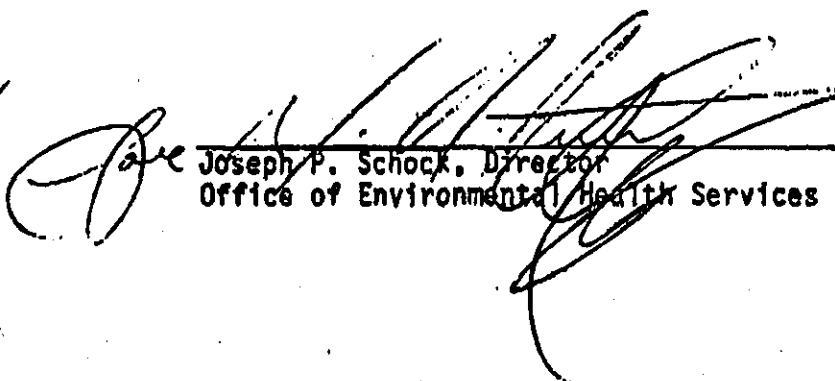
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CERTIFICATE OF SERVICE

I, Joseph P. Schock, Director, Office of Environmental Health Services do hereby certify that a true copy of the foregoing ORDER was served upon Donald Jarrell, Holly Hills Subdivision, P.O. Box 228, Van, West Virginia 25206, by certified mail, return receipt requested.

11-18-94
Date



Joseph P. Schock, Director
Office of Environmental Health Services

NOV 28 1994

Rec'd _____
Beckley District Office
Environmental Health

AR200002

BEFORE THE WEST VIRGINIA DEPARTMENT OF HEALTH AND HUMAN RESOURCES,
BUREAU OF PUBLIC HEALTH, IN THE MATTER OF PROPERTY DEVELOPMENT,
SEWAGE COLLECTION AND TREATMENT AT THE HOLLY HILLS SUBDIVISION,
RALEIGH COUNTY, WEST VIRGINIA.

ADMINISTRATIVE ORDER

The West Virginia Department of Health and Human Resources Bureau of Public Health (hereinafter referred to as the "Department") has received information in the above styled matter. The Department, having reviewed the file, hereby makes the following findings and conclusions:

1. On March 23, 1994 our Beckley Office District Engineer, John Shufflebarger, observed numerous operational deficiencies associated with the subdivision's wastewater treatment plant.
2. On April 4, 1994 Mr. John Brown sent a copy of the inspection report to Mr. Donald Jarrell advising him of the need to correct deficiencies.

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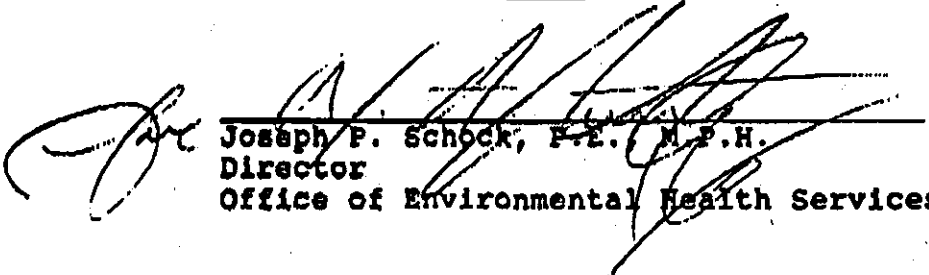
3. A follow-up inspection was conducted on April 19, 1994 by Mr. Shufflebarger. Conditions associated with the treatment plant were found to be further deteriorated.
4. Additional inspections were conducted on June 2, 1994, June 10, 1994 and August 30, 1994. These inspections disclosed that the adverse persisted and little, if any, corrective action had been taken.
5. On September 12, 1994 Clarence T. Christian, Beckley District Office Sanitarian, and John Shufflebarger investigated a complaint of raw sewage overflowing a manhole near the residence of Mr. Edgar Jeffery. The sewage treatment plant was also surveyed and found to be in a deplorably non-operative condition.
6. An inspection of October 20, 1994 by John Shufflebarger disclosed that conditions remained unchanged.
7. Due to the neglect of the plant operator, certification was revoked on June 17, 1994.

AR200004

THEREFORE, in consideration of the above findings, it is the ORDER of the Director that:

Pursuant to Chapter 16, Article 1, et.seq. of the West Virginia Code, as amended, Mr. Donald Jarrell shall submit within ten (10) days of receipt of this ORDER a compliance schedule to the Department to make improvements to the wastewater collection system, lift stations and treatment plant to come into compliance.

Entered: 11-18-94


Joseph P. Schock, P.E., M.P.H.
Director
Office of Environmental Health Services

JPS:VRW:nsf

cc: Raleigh County Health Department
PSC - Utilities Division
Helen Crum, Paralegal
~~REDACTED~~

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